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BEFORE THE ARIZONA CORPORATION COMMISSION

25H

COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

2006 FEB 15 P 4: 03

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
COMMUNITY WATER OF GREEN VALLEY
FOR A RATE INCREASE.

DOCKET NO. W-02304A-05-0830

PROCEDURAL ORDER

BY THE COMMISSION:

On November 8, 2005, Community Water of Green Valley ("Community Water" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a rate increase.

On December 9, 2005, and January 23, 2006, Commission Utilities Division Staff ("Staff") notified the Cooperative that its application was not sufficient under the requirements outlined in A.A.C. R14-2-103.

Community Water filed supplemental material on December 23, 2005, January 4, 2006, January 30, 2006, and January 31, 2006.

On February 7, 2006, Staff notified the Company that its application was sufficient under Commission rules, and classified the Company as a Class B utility.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall commence on **October 24, 2007, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, **Room 222, 400 West Congress, Tucson, Arizona 85701.**

IT IS FURTHER ORDERED that a pre-hearing conference shall be held on **October 16, 2006**, at 10:00 a.m. at the Commission's Tucson offices, Room 218, for the purpose of scheduling

1 witnesses and the conduct of the hearing.¹

2 IT IS FURTHER ORDERED that the Staff Report and/or any testimony and associated
3 exhibits to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or before
4 **August 8, 2006.**

5 IT IS FURTHER ORDERED that any testimony and associated exhibits to be presented at
6 hearing on behalf of intervenors shall be reduced to writing and filed on or before **August 8, 2006.**

7 IT IS FURTHER ORDERED that any rebuttal testimony and associated exhibits to be
8 presented at hearing by the Company shall be reduced to writing and filed on or before **September**
9 **12, 2006.**

10 IT IS FURTHER ORDERED that any surrebuttal testimony and associated exhibits to be
11 presented by the Staff or intervenors shall be reduced to writing and filed on or before **October 10,**
12 **2006.**

13 IT IS FURTHER ORDERED that any objections to any testimony or exhibits which have
14 been prefiled as of **October 10, 2006**, shall be made before or at the **October 16, 2006** pre-hearing
15 conference.

16 IT IS FURTHER ORDERED that all testimony filed shall include a table of contents which
17 lists the issues discussed.

18 IT IS FURTHER ORDERED that any substantive corrections, revisions, or supplements to
19 pre-filed testimony shall be reduced to writing and filed no later than five days before the witness is
20 scheduled to testify.

21 IT IS FURTHER ORDERED that the parties shall prepare a brief, written summary of the
22 pre-filed testimony of each of their witnesses and shall file each summary at least two working days
23 before the witness is scheduled to testify.

24 IT IS FURTHER ORDERED that copies of summaries should be served upon the Presiding
25 Officer, the Commissioners, and the Commissioners' aides as well as the parties of record.

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28 ¹ Parties may request to appear telephonically at the pre-hearing conference.

1 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
2 except that all motions to intervene must be filed on or before September 29, 2006.

3 IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and
4 regulations of the Commission, except that: until September 22, 2006, any objection to discovery
5 requests shall be made within 7 days² of receipt and responses to discovery requests shall be made
6 within 10 days of receipt; thereafter, objections to discovery requests shall be made within 5 days and
7 responses shall be made in 7 days¹; the response time may be extended by mutual agreement of the
8 parties involved if the request requires an extensive compilation effort.

9 IT IS FURTHER ORDERED that in the alternative to filing a written motion to compel
10 discovery, any party seeking discovery may telephonically contact the Commission's Hearing
11 Division to request a date for a procedural hearing to resolve the discovery dispute; that upon such a
12 request, a procedural hearing will be convened as soon as practicable; and that the party making such
13 a request shall forthwith contact all other parties to advise them of the hearing date and shall at the
14 hearing provide a statement confirming that the other parties were contacted.³

15 IT IS FURTHER ORDERED that any motions which are filed in this matter and which are
16 not ruled upon by the Commission within 10 days of the filing date of the motion shall be deemed
17 denied.

18 IT IS FURTHER ORDERED that any responses to motions shall be filed within ten days of
19 the filing date of the motion.

20 IT IS FURTHER ORDERED that any replies shall be filed within five days of the filing date
21 of the response.

22 IT IS FURTHER ORDERED that the Company shall provide public notice of the hearing in
23 this matter, in the following form and style:

27 ² "Days" means calendar days.

28 ³ The parties are encouraged to attempt to settle discovery disputes through informal, good-faith negotiations
before seeking Commission resolution of the controversy.

PUBLIC NOTICE OF HEARING ON THE
RATE APPLICATION OF
COMMUNITY WATER OF GREEN VALLEY
DOCKET NO. W-02304A-05-0830

On November 9, 2005, Community Water of Green Valley ("Community Water" or "Company") filed an application with the Arizona Corporation Commission for an approximate 27.5 percent increase in revenue. The actual percentage rate increase for individual customers will vary depending upon the type and quantity of service provided. The ultimate rates approved as a result of this application may be greater or less than those requested in the application. Copies of the Company's application and proposed tariffs are available at its office [INSERT COMPANY ADDRESS HERE] at the Commission's offices for public inspection during regular business hours, and is available on the Commission's website www.cc.state.az.us through the eDocket link.

The Commission will hold a hearing on this matter beginning October 24, 2006, at 10:00 a.m. at the Commission's offices, Room 222, 400 West Congress, Tucson, Arizona. Public comments will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission, which motion should be sent to the Company or its counsel and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the Cooperative, a stockholder of the Company, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Cooperative or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before September 29, 2006. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf. You will not receive any further notice of this proceeding unless you request it.

If you wish to make written comments objecting to, or supporting this application. Mail them to:

Arizona Corporation Commission
Attention Docket Control
Re: Community Water Company of Green Valley
W-02304A-05-0830
1200 W. Washington Street
Phoenix, Arizona 85007

1 If you have any questions about this application, or want further information on
2 intervention, you may contact the Consumer Services Section of the Commission at
3 1200 W. Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

4 The Commission does not discriminate on the basis of disability in admission to its
5 public meetings. Persons with a disability may request a reasonable accommodation
6 such as a sign language interpreter, as well as request this document in an alternative
7 format, by contacting Linda Hogan LHogan@azcc.gov, the ADA Coordinator, voice
8 phone number 602/542-3931. Requests should be made as early as possible to allow
9 time to arrange the accommodation.

10 IT IS FURTHER ORDERED that the Company shall mail to each of its customers a copy of
11 the above notice by April 14, 2006.

12 IT IS FURTHER ORDERED that the Company shall file certification of mailing as soon as
13 practicable after the mailing has been completed.

14 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing of same,
15 notwithstanding the failure of an individual customer to read or receive the notice.

16 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
17 Communications) applies to this proceeding as the matter is now set for public hearing.

18 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
19 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

20 DATED this 14th day of February, 2006. ♥

21 
22 JANE L. RODDA
23 ADMINISTRATIVE LAW JUDGE

24 Copies of the foregoing mailed
25 this 14th day of February, 2006 to:

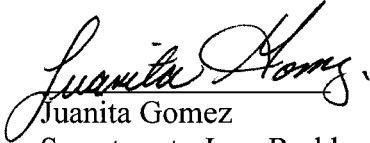
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3 Arizona Corporation Commission
4 1200 W. Washington Street
5 Phoenix, Arizona 85007

6 Arizona Reporting Service, Inc.
7 2627 N. Third Street, Suite Three
8 Phoenix, Arizona 85004-1103

9 By:

10 
11 Juanita Gomez
12 Secretary to Jane Rodda
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